

Baird  
Baker  
Baldwin  
Barrett (SC)  
Barrow  
Bartlett (MD)  
Barton (TX)  
Bass  
Bean  
Beauprez  
Becerra  
Berman  
Berry  
Biggert  
Bishop (GA)  
Bishop (NY)  
Bishop (UT)  
Blackburn  
Blumenauer  
Blunt  
Boehlert  
Boehner  
Bonilla  
Bonner  
Bono  
Boozman  
Boren  
Boswell  
Boustany  
Boyd  
Bradley (NH)  
Brown (OH)  
Brown (SC)  
Brown, Corrine  
Brown-Waite, Ginny  
Burgess  
Burton (IN)  
Butterfield  
Calvert  
Camp  
Cannon  
Cantor  
Capito  
Capps  
Capuano  
Cardoza  
Carnahan  
Carson  
Carter  
Case  
Castle  
Chabot  
Chandler  
Chocola  
Clay  
Cleaver  
Clyburn  
Coble  
Cole (OK)  
Conyers  
Cooper  
Costa  
Cramer  
Crenshaw  
Crowley  
Cubin  
Cuellar  
Culberson  
Cummings  
Cunningham  
Davis (AL)  
Davis (CA)  
Davis (FL)  
Davis (IL)  
Davis (KY)  
Davis (TN)  
Davis, Jo Ann  
Davis, Tom  
Deal (GA)  
DeFazio  
DeGette  
DeLauro  
DeLay  
Dent  
Diaz-Balart, L.  
Diaz-Balart, M.  
Dingell  
Doggett  
Doolittle  
Doyle  
Drake  
Dreier  
Duncan  
Edwards  
Ehlers  
Emanuel  
English (PA)  
Eshoo

Etheridge  
Evans  
Everett  
Farr  
Feeney  
Ferguson  
Filner  
Fitzpatrick (PA)  
Flake  
Foley  
Forbes  
Ford  
Fortenberry  
Fossella  
Fox  
Frank (MA)  
Franks (AZ)  
Frelinghuysen  
Garrett (NJ)  
Gerlach  
Gibbons  
Gilchrest  
Gillmor  
Gingrey  
Gohmert  
Gonzalez  
Goode  
Goodlatte  
Gordon  
Granger  
Graves  
Green (WI)  
Green, Al  
Green, Gene  
Grijalva  
Gutierrez  
Gutknecht  
Hall  
Harman  
Harris  
Hart  
Hastings (FL)  
Hastings (WA)  
Hayes  
Hayworth  
Hensarling  
Herger  
Herseth  
Higgins  
Hinchey  
Hinojosa  
Hobson  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Hostettler  
Hoyer  
Hulshof  
Hyde  
Inglis (SC)  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee (TX)  
Jenkins  
Jindal  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Jones (OH)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick (MI)  
King (IA)  
King (NY)  
Kingston  
Kirk  
Kline  
Knollenberg  
Kolbe  
Kucinich  
Kuhl (NY)  
LaHood  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)

LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren, Zoe  
Lowey  
Lucas  
Lungren, Daniel E.  
Lynch  
Mack  
Manzullo  
Marchant  
Markley  
Marshall  
Matheson  
Matsui  
McCarthy  
McCauley (TX)  
McCollum (MN)  
McCotter  
McGovern  
McHenry  
McHugh  
McIntyre  
McKeon  
McKinney  
McMorris  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Michaud  
Millender-McDonald  
Miller (FL)  
Miller (MI)  
Miller (NC)  
Miller, Gary  
Miller, George  
Moore (WI)  
Moran (KS)  
Moran (VA)  
Murphy  
Musgrave  
Myrick  
Nadler  
Napolitano  
Neal (MA)  
Neugebauer  
Ney  
Northup  
Norwood  
Nunes  
Nussle  
Oberstar  
Obey  
Ortiz  
Osborne  
Otter  
Owens  
Oxley  
Pallone  
Pascarelli  
Pastor  
Payne  
Pearce  
Pelosi  
Pence  
Peterson (MN)  
Peterson (PA)  
Petri  
Pitts  
Platts  
Poe  
Pombo  
Pomeroy  
Porter  
Price (GA)  
Price (NC)  
Pryce (OH)  
Putnam  
Radanovich  
Rahall  
Ramstad  
Rangel  
Regula  
Rehberg  
Reichert  
Renzi  
Reyes

Reynolds  
Rogers (AL)  
Rogers (KY)  
Rogers (MI)  
Rohrabacher  
Ros-Lehtinen  
Ross  
Rothman  
Roybal-Allard  
Royce  
Ruppersberger  
Ryan (OH)  
Ryan (WI)  
Ryan (KS)  
Sabon  
Salazar  
Sanchez, Linda T.  
Sanders  
Saxton  
Schakowsky  
Schiff  
Schmidt  
Schwartz (PA)  
Schwarz (MI)  
Scott (GA)  
Scott (VA)  
Sensenbrenner  
Serrano  
Shadegg  
Shaw

Shays  
Sherman  
Sherwood  
Shimkus  
Shuster  
Simmons  
Simpson  
Skeltan  
Slaughter  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Sodrel  
Solis  
Souder  
Spratt  
Stearns  
Stupak  
Sullivan  
Sweeney  
Tanner  
Tauscher  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Tiahrt  
Tiberi

Tierney  
Towns  
Turner  
Udall (CO)  
Udall (NM)  
Upton  
Van Hollen  
Velázquez  
Visclosky  
Walden (OR)  
Walsh  
Wamp  
Wasserman  
Schultz  
Watson  
Watt  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
Westmoreland  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (FL)

## EXPRESSING SORROW OF THE HOUSE AT THE DEATH OF THE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. DELAY. Madam Speaker, I offer a privileged resolution (H. Res. 422) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

### H. RES. 422

*Resolved*, That the House has heard with profound sorrow of the death of the Honorable William H. Rehnquist; Chief Justice of the United States.

*Resolved*, That the House tenders its deep sympathy to the members of the family of the late Chief Justice in their bereavement.

*Resolved*, That the Clerk communicate these resolutions to the Senate and to the Supreme Court and transmit a copy of the same to the family of the late Chief Justice.

*Resolved*, That when the House adjourns today, it adjourn as a further mark of respect to the memory of the late Chief Justice.

The resolution was agreed to.

A motion to reconsider was laid on the table.

## PROVIDING FOR USE OF CATAFALQUE IN CRYPT BENEATH ROTUNDA OF CAPITOL IN CONNECTION WITH MEMORIAL SERVICES FOR THE LATE HONORABLE WILLIAM H. REHNQUIST, CHIEF JUSTICE OF THE UNITED STATES

Mr. DELAY. Madam Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 52) providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States, and ask for its immediate consideration in the House.

The Clerk read the title of the Senate concurrent resolution.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the Senate concurrent resolution, as follows:

### S. CON. RES. 52

*Resolved by the Senate (the House of Representatives concurring)*, That the Architect of the Capitol is authorized and directed to transfer to the custody of the Supreme Court of the United States the catafalque which is situated in the crypt beneath the Rotunda of the Capitol so that such catafalque may be used in the Supreme Court Building in connection with services to be conducted there for the late honorable William H. Rehnquist, Chief Justice of the United States.

The Senate concurrent resolution was concurred in.

A motion to reconsider was laid on the table.

### NAYS—1

Paul

### NOT VOTING—39

Berkley  
Bilirakis  
Boucher  
Brady (PA)  
Brady (TX)  
Buyer  
Cardin  
Conaway  
Costello  
Delahunt  
Dicks  
Emerson  
Engel

Fattah  
Gallegly  
Hefley  
Hunter  
Inslee  
Jefferson  
Latham  
Maloney  
McCrery  
McDermott  
Melancon  
Mollohan  
Moore (KS)

Murtha  
Oliver  
Pickering  
Rush  
Sanchez, Loretta  
Sessions  
Stark  
Strickland  
Tancredo  
Taylor (MS)  
Waters  
Weiner  
Young (AK)

### □ 1918

So (two-thirds having voted in favor thereof) the rules were suspended and the Senate joint resolution, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. BILIRAKIS. Mr. Speaker, I missed the recorded vote for S.J. Res. 19, which calls upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act. Had I been present, I would have voted "yea" on rollcall vote 455.

## COMMUNICATION FROM ASSOCIATE JUSTICE OF SUPREME COURT

The SPEAKER pro tempore (Mrs. BIGGERT) laid before the House the following communication from Antonin Scalia, Associate Justice of the Supreme Court of the United States:

SUPREME COURT OF THE UNITED STATES,  
Washington, DC, September 6, 2005.

Hon. J. DENNIS HASTERT,  
Speaker of the House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to notify the House of Representatives, through you, that the Chief Justice of the United States died in Arlington, Virginia on Saturday, September 3, 2005.

Very truly yours,

ANTONIN SCALIA,  
Associate Justice.

# REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 2290

Mr. JONES of North Carolina. Madam Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 2290.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 7 o'clock and 23 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 2241

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. REICHERT) at 10 o'clock and 41 minutes p.m.)

## SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Minnesota (Mr. GUTKNECHT) is recognized for 5 minutes.

(Mr. GUTKNECHT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from New York (Mrs. MCCARTHY) is recognized for 5 minutes.

(Mrs. MCCARTHY addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

## EXCHANGE OF SPECIAL ORDER TIME

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to take the time of the gentlewoman from New York (Mrs. MCCARTHY).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

## CONCERNS REGARDING RESPONSE TO HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Mr. Speaker, we here in the Congress have just returned to conduct the Nation's business, and our

hearts are with the families and individuals who have lost loved ones and are scattered across this country as a result of the terrible, terrible devastation of Hurricane Katrina.

The House of Representatives this evening met with the President's Cabinet for nearly 3 hours, and this evening I would like to address concerns regarding how the institutions of this Nation failed the American people and what can be done about it as we try to heal as a Nation and thank those who are extending their compassion and assistance and to try to give strength to those who have suffered so much. There is not a single American who does not feel just horrible about what has happened, and we in the Congress bear responsibility, as does this administration, for the response and its shortcomings.

There is a story today in the Wall Street Journal entitled: "Behind Poor Katrina Response, a Long Chain of Weak Links." I would like to enter that into the RECORD and read from a key section of that article that talks about what went wrong.

□ 2245

Number one, the absorption of the Federal Emergency Management Agency into the gargantuan and terrorism-focused Department of Homeland Security, which I voted against as a Member of this Congress over 2 years ago; I served on the Committee on Appropriations where FEMA came before us. We had an agency that finally worked after 10 years of reform in the Clinton administration, and James Lee Witt, the director of that agency, did such a terrific job. All of that changed as FEMA was subsumed under this gargantuan Department of Homeland Security, which in essence had a very different kind of mission.

Just 2 weeks ago, as the Wall Street Journal article recounts, five State emergency managers brought a tough message here to Washington, this was before Katrina, and met with Michael Chertoff, the Homeland Security Secretary. And these emergency directors told them straight out that the administration was weakening emergency management with potentially dangerous consequences. In fact, Dave Liebersback, the Director of Alaska's Division of Homeland Security and Emergency Management, said that the Department's focus on terrorism was undermining its readiness here at home.

The article goes on to say that there were not firm procedures in place, for example, for directing people and materials when a national emergency such as Katrina would strike. And this article, along with other information that I choose to enter into the record this evening, shows that the appropriations for the funding of FEMA, as part of this major new department, were actually cut by over \$600 million in the area of regional operations. These are bad decisions that need to be reversed.

The American people and we here in this Congress must do this.

A few years ago, when the Department of Homeland Security was being debated here in the Congress, I stated, and reread for the record tonight, "I do not want FEMA put in the Department of Homeland Security. Why? Because FEMA worked. It took us 10 years to fix FEMA back during the decades of the 1990s, so why do we want to stick FEMA into this big new department that will have 170,000 people in it, and we cannot even get direct communications up to the top? The United States fought World War II, and we did not need a Department of Homeland Security. We defeated the Communists during the Cold War, and we didn't need a 170,000-person Department of Homeland Security. We fought the Persian Gulf War, and we did not need it."

But our words were not successful here in the Congress. And we ended up with a majority of Members of Congress passing a Department of Homeland Security that buried FEMA far underneath this mammoth administrative structure. I hate to call it a management structure because it became a mismanagement structure. And then funding for local responses was cut by over \$600 million.

Interestingly, the Web site of the current Committee on Homeland Security here in the U.S. House of Representatives indicates a vacancy in the chairmanship, with the movement of Mr. Cox of California to the Securities and Exchange Commission. So even one of the key committees here in the House lacks the key chair as we move into this difficult period.

But the point is that there has been very bad decision making here in the Congress that relegated FEMA in terms of domestic affairs, and also, those put in charge over the last 5 years have had absolutely no hands-on experience with emergency management.

Mr. Speaker, as I mentioned previously, the articles I referred to earlier are submitted hereafter for inclusion in the RECORD.

## WHAT WENT WRONG?

Some reasons why the U.S. didn't adequately protect and rescue its citizens from a natural disaster.

The absorption of the Federal Emergency Management Agency into the gargantuan—and terrorism-focused—Department of Homeland Security.

A military stretched by wars in Iraq and Afghanistan, which made commanders reluctant to commit some active-duty units nearby.

A total breakdown of communications systems.

Missteps at the local level, including a rudimentary plan to deal with hurricanes.

A failure to plan for the possibility that New Orleans's levee system would fail.